

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KERMIT OVERHOLT,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:07-CV-322
)	(VARLAN/SHIRLEY)
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

For the reasons stated in the memorandum opinion filed contemporaneously with this order, plaintiff's objections to the report and recommendation of the magistrate judge [Doc. 20] are hereby **OVERRULED**. The report and recommendation [Doc. 19] is **ACCEPTED IN WHOLE** under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

It is **ORDERED**, for the reasons stated in the report and recommendation, which the Court adopts and incorporates into its ruling, that plaintiff's motion for summary judgment [Doc. 12] is **DENIED**; defendant Commissioner's motion for summary judgment [Doc. 16] is **GRANTED**; and defendant Commissioner's decision in this case denying plaintiff's application for disability, disability insurance benefits, and supplemental security income benefits under the Social Security Act is **AFFIRMED**. This case is **DISMISSED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE